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#3  
Attorney Docket No.: 08-000410US

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **DEVICE AND METHOD DESIGNED FOR ULTRASONICALLY INSPECTING CYLINDERS FOR LONGITUDINAL AND CIRCUMFERENTIAL DEFECTS AND TO MEASURE WALL THICKNESS** the specification of which was filed on September 26, 2001 as Application No. 09/965,672.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

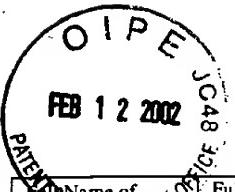
Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/236,356	September 27, 2000

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status



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Attorney Docket No.: 08-000410US

Full Name of Inventor 1 <del>TRADEMARK OFFICE</del>	Full Name: <b>Steven M. Ziola</b>		
Residence & Citizenship:	City: <b>Littleton</b>	State/Foreign Country: <b>Colorado</b>	Country of Citizenship: <b>the United States</b>
Post Office Address:	<b>8190 South Madison Way, Littleton, Colorado, 80122 USA</b>		
Full Name of Inventor 2:	Full Name: <b>Michael R. Gorman</b>		
Residence & Citizenship:	City: <b>Englewood</b>	State/Foreign Country: <b>Colorado</b>	Country of Citizenship: <b>the United States</b>
Post Office Address:	<b>5479 South Locust St., Englewood, Colorado, 80111</b>		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2
 Steven M. Ziola	 Michael R. Gorman
Date 1/8/02	Date 1-8-02

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(Modified) PTO/SB/81 (11-96)

Approved for use through 6/30/99. OMB 0651-0035

POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT, NOT  
ACCOMPANYING APPLICATION

Application Number	09/965,672
Filing Date	September 26, 2001
First Named Inventor	Steven M. Ziola
Group Art Unit	2856
Examiner Name	Unassigned
Attorney Docket Number	08-000410US

I hereby appoint:

 Practitioners at Customer Number

22798

Type Customer Number Here

OR

22798

PATENT TRADEMARK OFFICE

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

 The above-mentioned Customer Number.

THAT IS:

Firm or Individual Name	Law Offices of Jonathan Alan Quine				
Address	P.O. Box 458				
Address					
City	Alameda	State	CA	Zip	94501
Country	United States				
Telephone	(510) 337-7871	Fax	(510) 337-7877		

I am the

 Applicant. Assignee of record of the entire interest (Certificate under 37 CFR 3.73(b) is enclosed)

SIGNATURE of Applicant or Assignee of Record

Name	Steven M. Ziola
Signature	Steven M. Ziola
Date	1/8/02

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: January 22, 2002

Typed or printed name	Amelia Groth
Signature	
	Date
	January 22, 2002



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PTO/SB/96 (2-98)

Approved for use through 09/30/2000. OMB 0651-0031

**STATEMENT UNDER 37 CFR 3.73(b)**

PATENT & TRADEMARK OFFICE

Applicant: **Steven M. Ziola, et al.**

Application No.: **09/965,672**

Filed: **September 26, 2001**

Entitled: **DEVICE AND METHOD DESIGNED FOR ULTRASONICALLY INSPECTING CYLINDERS FOR LONGITUDINAL AND CIRCUMFERENTIAL DEFECTS AND TO MEASURE WALL THICKNESS**

**Digital Wave Corporation**, a

(Name of Assignee)

**Colorado corporation**

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. [ X ] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet

[X ]Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

1/8/02  
Date

Steven M. Ziola  
Signature

Steven M. Ziola  
Typed or printed name

V.P. Engineering  
Title

# NOT FOR RECORDATION

Attorney Docket No.: 08-000410US

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Steven M. Ziola, of 8190 South Madison Way, Littleton, Colorado 80122, and Michael R. Gorman of 5479 South Locust St., Englewood, Colorado, 80111, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: DEVICE AND METHOD DESIGNED  
FOR ULTRASONICALLY INSPECTING  
CYLINDERS FOR LONGITUDINAL  
AND CIRCUMFERENTIAL DEFECTS  
AND TO MEASURE WALL  
THICKNESS

Filing Date: September 26, 2001

Application No.: 09/965,672; and

WHEREAS, Digital Wave Corporation, a Colorado corporation, located at 11234A East Caley Avenue, Englewood, Colorado, 80111, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

**NOT FOR RECORDATION**

Assignment

Application No.: 09/965,672

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IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated: 1/8/02

Steven M. Ziola  
Steven M. Ziola

SIGNATURE WITNESSED BY:

(1) Date: 1/8/02

Susan Sungdoff  
Signature of Witness

Dated: 1-8-02

Michael R. Gorman  
Michael R. Gorman

SIGNATURE WITNESSED BY:

(1) Date: 1/8/02

Susan Sungdoff  
Signature of Witness